



State of Hawai'i Department of Health
Environmental Health Administration
Office of Hazard Evaluation and Emergency
Response

**Request for Competitive Sealed
Proposals (RFP) for
Non-Emergency Environmental Services**

Proposals will be received until 4:30 p.m. (HST) on Tuesday, August 17, 2010 in: The Hazard Evaluation and Emergency Response (HEER) Office; 919 Ala Moana Boulevard, Room 206; Honolulu, Hawai'i 96814-4920. Late proposals will not be considered.

Questions relating to this solicitation may be directed to Steven Mow or Paul Chong ("Official Contacts") at:

Telephone: (808) 586-4249;
Facsimile: (808) 586-7537, or
E-mail: steven.mow@doh.hawaii.gov
paul.chong@doh.hawaii.gov.

NOTES:

The HEER Office and its contractors are required to seek, encourage, and utilize disadvantaged, minority, and woman-owned business enterprises for their procurement needs.

The legal ad for this RFP was posted on the State Procurement Office (SPO) procurement notices website on Thurs., July 15, 2010.

If you download a copy of the RFP from a website and want to receive updates or changes to the RFP, it is your responsibility to send an e-mail addressed to HEER CONTRACT at: paul.chong@doh.hawaii.gov stating that you have downloaded the RFP and the e-mail address to which you would like additional information sent. Failure to receive any addendum shall not relieve you from any requirements under the RFP.

TABLE OF CONTENTS

SECTION ONE: INTRODUCTION	1
1.1 Background.....	1
1.2 Significant Dates	3
1.3 Offerors' Conference	3
1.4 Written Questions.....	4
1.5 Official Contact Person.....	4
1.6 Confidentiality.....	4
SECTION TWO: PERIOD OF PERFORMANCE	5
SECTION THREE: DISADVANTAGED, MINORITY-OWNED, AND WOMEN-OWNED BUSINESS ENTERPRISES.....	5
SECTION FOUR: PAYMENT	5
SECTION FIVE: SCOPE OF NON-EMERGENCY ENVIRONMENTAL SERVICES	6
5.1 Introduction	6
5.2. Non-Emergency Response Scope of Services	6
SECTION SIX: SPECIFIC MANDATORY INFORMATION REQUESTS.....	9
6.1 Introduction	9
6.2 Questions Regarding Items Important to DOH	9
6.3 Sample Reports of Offerors' Previous Work	10
SECTION SEVEN: PROPOSAL REQUIREMENTS	10
7.1 Introduction	10
7.2 Original Proposal and Copies to Be Submitted.....	11
7.3 Proposal Format and Content	11
7.3.1. Offerors Form Letter	12
7.3.2. Special Forms Required	12
7.3.2.1 Tax Clearance (Offerors and Subcontractors)	12

7.3.2.2 Department of Labor and Industrial Relations Certificate of Compliance	12
7.3.2.3 Proof of Liability Insurance	12
7.3.3 Qualifications of Staff and Subcontractors Assigned to This Contract.....	13
7.3.6 Rate Schedule and Price List	14
SECTION EIGHT: EVALUATION PROCESS AND CRITERIA FOR SELECTION OF CONTRACTORS.....	16
8.1 Process for Contractor Selection	16
8.3 Evaluation Criteria.....	18
8.3.1. Minimum Requirements for Offeror Proposals.....	18
8.3.2 Proposal Evaluation Criteria	19
EXHIBIT A – OFFEROR’S FORM LETTER	20

SECTION ONE: INTRODUCTION

1.1 Background

The State of Hawai'i is responsible for protecting human health and the environment from releases of hazardous substances in accordance with Chapter 128D, Hawaii Revised Statutes ("Chapter 128D HRS") and Chapter 11-451 of the Hawaii Administrative Rules ("Chapter 11-451 HRS"). The Department of Health (DOH), Hazard Evaluation and Emergency Response Office (HEER Office) has been designated to carry out the State's responsibility in this area. To fulfill this responsibility, the HEER Office undertakes activities such as the following:

- Receives notifications and responds to releases of hazardous substances and oil.
- Responds to oil spills on land and sea.
- Conducts site assessments, environmental hazard evaluations, remedy selection, design, and implementation of cleanup actions.
- Conducts official Preliminary Site Assessments, Brownfields Environmental Site Assessments and Cleanups, and Sampling of Opportunity field events pursuant to State and federal guidelines.
- Disposes of material from illegal drug manufacturing, illegal dumping, and natural disasters.
- Implements environmental investigation, site assessment, and cleanup oversight mechanisms, including the Voluntary Response Program (VRP) and Fast Track Cleanup (FTC).
- Gathers data and supporting information on issues that pose potential and actual threats to human health and the environment.
- Formulates new rulemaking, guidance, and policy for environmental investigations and cleanups in the State.
- Conducts research into evaluating, preventing, and/or addressing releases of hazardous substances and oil to the environment.

In conducting these activities, the HEER Office requires that a wide range of expertise be available, including but not limited to the following:

- Environmental engineering
- Human health hazard evaluation
- Ecological hazard evaluation
- Regulatory compliance
- Policy and program development
- Toxicology
- Biology
- Microbiology
- Ecology
- Sampling and analysis
- Event planning
- Soil science
- Geology
- Report reviewing and writing
- Hydrology
- Chemistry
- Community involvement
- Contract management
- Project coordination
- Document & information management
- Evaluating data quality
- Database and web development

In addition to possessing these general capabilities, the HEER Office also seeks firms with specific expertise performing environmental response activities in Hawai'i such as:

- Use of HEER environmental guidance: primarily, but not limited to the HEER Technical Guidance Manual (<http://www.hawaiidoh.org/>) and Evaluation of Environmental Hazards at Sites with Contaminated Soil and Groundwater. (<http://hawaii.gov/health/environmental/hazard/eal2005.html>).
- Use of other DOH guidance; e.g. Solid and Hazardous Waste Branch Technical Guidance Manual (<http://hawaii.gov/health/about/admin/health/environmental/waste/ust/tgm.html>)
- Design and implementation of appropriate sampling strategies including discrete and multi-increment sampling.
- Preparation of Work Plans, Environmental Hazard Evaluations, Remedial Alternatives Analyses, and Remedial Action Memos that have been reviewed and approved by the HEER Office.
- Completion of Voluntary Response Program and Fast Track Cleanup program Agreements

To assure access to this expertise, the HEER Office seeks a *primary* and *secondary* contractor, as described in Section Eight, to provide the broad range of environmental services described in the Section Five.

1.2 Significant Dates

The following is a schedule for receiving proposals, evaluating them, and awarding contracts pursuant to this RFP. Please note all dates are approximate.

Task	Due Date
RFP posted on SPO website of State Procurement Notices (website(http://www4.hawaii.gov/bidapps/ShowBids.cfm?Isle=O))	July 15, 2010 (Thurs.)
Optional Offerors' meeting to discuss RFP	July 27, 2010 (Tues.)
Deadline for submitting written questions	July 29, 2010 (Thurs.)
Internet posting of answers to questions	Aug. 3, 2010 (Tues.)
Proposals due (not later than 4:30 p.m. HST)	Aug. 17, 2010 (Tues.)
Proposal evaluations completed	Sept.7, 2010 (Tues.)
Complete discussions with priority list Offerors	Sept. 21, 2010 (Tues.)
Announce contractor selections	Oct. 5, 2010 (Tues.)
Issue notice to proceed	Feb. 1, 2011 (Tues.)

1.3 Offerors' Conference

A meeting will be held for interested Offerors to discuss the non-emergency environmental support services sought by the HEER Office. Since space may be limited, those planning to attend must RSVP with the number of people interested in attending by calling or writing the Official Contact in Section 1.2 below. The Offerors' meeting will be held as follows:

<u>Offerors' Conference</u>	
DATE:	July 27, 2010 (Thurs.)
TIME:	1:30 p.m. – 3:00 p.m.
LOCATION:	919 Ala Moana Blvd.; Honolulu, HI 96814; 5 th Floor

1.4 Written Questions

The HEER Office will accept written questions regarding the RFP and post responses on its website according the schedule above. Questions must be submitted in writing to the Official Contact (below) by e-mail. The HEER Office website can be found at: <http://hawaii.gov/health/environmental/hazard/index.html>.

1.5 Official Contact Persons

The official contact persons for all communication regarding this RFP is:

Official Contact Persons

Steven Mow or Paul Chong
Department of Health
Office of Hazard Evaluation and
Emergency Response
919 Ala Moana Boulevard, Room 206
Honolulu, Hawai'i 96814
Telephone number: (808) 586-4249
Facsimile: (808) 586-7537
E-mail: steven.mow@doh.hawaii.gov
paul.chong@doh.hawaii.gov

1.6 Confidentiality

As required by Hawaii Administrative Rules Section 3-122-58 Public Inspection, the proposals of all offerors “may be available for public inspection upon notice of award and shall be available for public inspection after the contract is signed by all parties.” The exceptions to this public availability are “those portions the offeror designates in writing as trade secrets or other proprietary data to be confidential...” The law also provides for appeals to material being designated as confidential. Offerors should identify very clearly which, if any, information is to be treated as confidential. To the extent that it is practical, Offerors should append or otherwise separate information they designate as confidential.

SECTION TWO: PERIOD OF PERFORMANCE

The initial period of the primary and secondary contracts may be from twelve (12) to eighteen (18) months and will be specified at the time the contracts are awarded. The contracts may be extended up to four (4) additional twelve-month periods, without re-solicitation, upon mutual agreement in writing prior to expiration of the contract and the execution of a supplemental agreement. A Contractor or the State may terminate its contract or a supplemental agreement to extend the contract at any time by providing sixty (60) days prior written notice.

SECTION THREE: DISADVANTAGED, MINORITY-OWNED, AND WOMEN-OWNED BUSINESS ENTERPRISES

Some of the projects performed under this contract will use funds provided under a federal grant from the U.S. Environmental Protection Agency (USEPA). Pursuant to 40 CFR Parts 30, 31, 33, 35, and 40, *Participation by Disadvantaged Business Enterprises (DBE) In Procurement USEPA Financial Assistance Agreements, Final Rule*, the HEER Office and those contracted by HEER Office are required to seek, encourage, and utilize disadvantaged, minority, and woman-owned business enterprises for their procurement needs. Under the USEPA DBE Program and by USEPA rule, recipients and sub-recipients of the Agency's grants must reach out to and encourage the participation of DBE, MBE, and WBE business enterprises.

The DOH welcomes proposals from all such firms as either primary contractors or sub-contractors. Prime contractors that are not certified in one of DBE Program business categories will be required to follow USEPA's DBE rule and policy whenever subcontractors are to be used. Information on the DBE rule and fact sheets outlining the DBE Program requirements such as: DBE certification, the recipient's "six good faith efforts," contract administration, and recipient reporting are posted on the USEPA website at: <http://www.epa.gov/osbp/grants.htm>. Additional contract requirements for certified prime contractors and subcontractors can be found in Section 33.302 of the DBE rule.

SECTION FOUR: PAYMENT

Award will be based on proposed rates and payments will be made in accordance with the agreed upon rates. The Contractor shall forward an original and two (2) copies of its invoice to the HEER Office by the 10th day of each month. The invoice will include: a clear description of the specific work performed during the billing period, the people who performed the work, a detailed breakdown of the services, equipment, and materials utilized, and the costs associated with each of them. Section 103-10, HRS, provides that the State shall have thirty (30) calendar days from receipt of invoice or satisfactory delivery of goods or performance of services to make payment. For this reason, the State will reject any offer submitted with a condition requiring payment within a shorter period. Furthermore, the State will reject any bid submitted with a condition requiring interest payments greater than that allowed by Section 103-10, HRS, as amended.

SECTION FIVE: SCOPE OF NON-EMERGENCY ENVIRONMENTAL SERVICES

5.1 Introduction

The HEER Office is seeking assistance from qualified firms to support its non-emergency response program. Offerors shall recommend and perform the work subject to HEER Office approval and oversight. Offerors shall provide and be responsible for all personnel, services, equipment, materials, and subcontractors used to perform the work. *Note, the HEER Office reserves the right to solicit and award separate contracts for certain projects that may be within the scope of this contract, if because of their size and/or complexity the HEER Office believes the projects would benefit by being addressed through separate solicitations.*

5.2. Non-Emergency Response Scope of Services

The Offerors shall be capable of providing a range of services including but not limited to the following:

Continuous Availability to HEER Office Manager and Staff

- Remain accessible, generally, by phone from 7:45 a.m. to 5:00 p.m., Monday through Friday, except for State holidays and furlough days throughout the year. Be accessible, on an occasional basis, for matters that do not constitute an emergency but which still require immediate attention seven days per week, 24-hours per day. An example would be an issue that needs to be resolved on a weekend to avoid costly delays in a sampling event scheduled to start on Monday.
- Schedule staff for work in their offices, in the Honolulu HEER Office, in the Hilo HEER Office, or elsewhere within the State for multiple, possibly consecutive, days, weeks, or months on specific projects as requested by the HEER Office.

Develop, Plan, and Facilitate Meetings, Training, and Special Events

- Prepare and distribute *HEER Newsletter*, regular website updates, and other outreach materials designed to encourage close engagement with HEER Office stakeholders.
- Provide training to DOH staff and others on matters related to specific projects performed for DOH. Identify training professionals and assist in the logistics for periodic training events sponsored by the HEER Office.
- Provide event planning and facilitation for brownfields forums, training workshops, stakeholder focus groups, public meetings, etc.

Assist and Advance DOH Policy Development

- Provide information, analyses and recommendations to support environmental policy development by the HEER Office.

- Assist with the development and implementation of a broad cost recovery program for all State oversight under HRS, Chapter 128D.
- Assist with the development and implementation of a standard environmental covenant pursuant to the Uniform Environmental Covenants Act (UECA).
- Provide expert witnesses for court cases and other official proceedings.

Support Strong Community Involvement

- Identify, develop, and distribute fact sheets, website updates, and other materials to promote stakeholder education and awareness of Hawaii response activities, laws, and processes.
- Develop general outreach plans for HEER Office activities and site-specific community involvement plans for specific projects.

Conduct Technical Research and Development

- Research innovative site characterization and/or cleanup methodologies.
- Assist the HEER Office in planning, conducting, and evaluating innovative laboratory analytical methods through bench tests.
- Assist the HEER Office in planning, conducting, and evaluating innovative field technologies through pilot tests, field tests, and other trials.

Support Data Collection and Management

- Revise HEER Office database structure; provide beta-testing for new system.
- Compile, sort, evaluate, and interpret data extracted from the HEER Office database.
- Revise and maintain stakeholder contact database.
- Provide data in formats specified by HEER Office Project Managers using Excel, Access, and other appropriate software.
- Utilize Geographical Information System (GIS), AutoCAD, and other appropriate methods for work related to site assessments and investigations.
- Provide field work and logistical support for field operations.
- Develop appropriate scopes of work, specific work plans and cost estimates based on general guidance provided by HEER Project Managers.
- Use statistical environmental methods, data quality objectives (DQOs), decision units (DUs), and multi-increment sampling (MIS) to design optimal sampling plans.
- Develop and implement sampling and analysis activities that include: 1) field sampling plans, 2) health and safety plans, and 3) quality assurance plans. Plans will be prepared in accordance with the HEER Office TGM. Plans will commonly utilize a decision unit (DU) and multi-increment sampling (MIS) approach to provide cost effective and representative sampling data.

- Provide logistical, field, and laboratory support for Sampling and Analysis Plans designed by the HEER Office.
- Provide sample analytical services meeting the HEER Office TGM criteria with a turn-around time of 2 to 4 weeks upon receipt of the samples. Provide rush sample analyses when requested and/or approved by the HEER Office Project Manager.
- Provide data validation and summary analyses.
- Characterize the nature and extent of hazardous substances at a site by using field sampling methods for: 1) soil sampling, 2) sediment sampling, 3) surface water and groundwater sampling, 4) soil-gas sampling, 5) ambient and indoor air sampling, and 6) biological samples including both plant and animal tissues. The methods used to obtain soil samples include but are not limited to: 1) hand augering, 2) push technology, 3) drilling, 4) ground penetrating radar, and 5) other geophysical investigation tools.
- Conduct hydrogeologic studies that may include: 1) monitoring well installation, 2) groundwater monitoring program, 3) groundwater analyses, 4) contaminant plume delineation, 5) groundwater gradient flow and direction determination, 6) fate and transport modeling, 7) monitoring well closure, 8) vertical profiling, and 9) ground water modeling.
- Mobilize and use heavy equipment (i.e. backhoe, dozer, etc.) in conducting response actions.
- Remove contaminated soils from sites, transport contaminated soils, profile and dispose of contaminated soils at a landfill, or treat contaminated soils at a permitted treatment facility.
- Perform non site-specific tasks related to prevention and response activities to protect human health and the environment.
- Provide senior technical support for overseeing HRS, 128D and CERCLA investigations and remedial actions.
- Conduct tasks related to preparation and review of key HRS, Chapter 128D and CERCLA documents including: remedial investigations, site characterizations, environmental hazard evaluations, remedial alternatives analyses, remedial action memorandums, and removal action reports.
- Conduct Preliminary Assessments and Site Inspections (PA/SI) under CERCLA that include writing sampling and analyses plans, following EPA's Contract Laboratory Program (CLP) Guidelines, and applying the EPA Hazard Ranking System.
- Conduct environmental site assessments at specific brownfields sites.
- Provide technical assistance regarding investigations and response actions for: Voluntary Response Program (VRP) projects; Fast Track Cleanup (FTC) program projects, Sampling of Opportunity activities; and other State site projects.

- Provide senior technical support, as needed, on high priority or high profile cleanup sites or area wide investigations. Perform human health and/or ecological hazard evaluations and risk assessments.
- Provide a range of document management services including, but not limited to, document scanning and file management.

SECTION SIX: SPECIFIC MANDATORY INFORMATION REQUESTS

6.1 Introduction

This section contains two specific information requests. It is mandatory that Offerors respond to these requests and proposals may be rejected for failure to do so. The information requests are summarized below and described in Sections 6.2 and 6.3:

- Responses to questions regarding items important to DOH.
- Sample reports from Offeror's previous work projects.

6.2 Questions Regarding Items Important to DOH

Offerors should respond concisely to each of the following questions. Responses should not exceed one page of double-spaced text or one-half page of single-spaced text each. Proposals may be rejected for failing to respond to all questions.

1. What do you see as the most important attributes of a HEER Office non-emergency support contractor?
2. What key policy recommendation(s) would you make to increase efficiency and effectiveness of the DOH environmental response program?
3. How would you assure that documents you submit are technically correct, well organized, and adequate to support DOH decision making?
4. How do you manage projects to assure: use of appropriate personnel, minimal labor hours, control of costs, and delivery of work according to schedule? What statistics can you offer to demonstrate a consistent ability to complete projects as planned?
5. How, if at all, would providing non-emergency response support to the HEER Office differ from providing similar services to other clients?
6. What is an example of your work that demonstrates the ability to apply creative and innovative approaches to conducting environmental investigations, optimizing data collection, and developing remedial action alternatives?

7. How can you assist the HEER Office in controlling costs while performing the work needed? What is an example of your work that demonstrates the ability to minimize costs while accomplishing a project's objectives?
8. What is your firm's experience and capability to assist in the development of technical guidance and/or policy related to HEER Office programs?
9. What specialized experience does your firm have with the use of:
1) environmental statistical methods to design optimal sampling plans for field investigations, and 2) field analytical methods when conducting field investigations?

6.3 Sample Reports of Offeror's Previous Work

Offerors should submit one report for each of the five areas of support work listed below:

1. ASTM Phase I Environmental Site Assessment
2. Sampling and Analysis Plan
3. Remedial Site Investigation
4. Analysis of Remedial Action Alternatives
5. Environmental Hazard Evaluation

The reports should exemplify the Offeror's work, or the work of their subcontractor(s). Offerors should select those reports that most closely follow current HEER Office technical guidance for environmental investigations.

Unless a report is part of the public record, Offerors should obtain permission from clients whose work they may want to submit and/or indicate that DOH should treat the sample report as confidential material. Offerors may also delete or mask material in a report that refers to specific clients or sites, but must balance the degree to which doing so makes it more difficult to evaluate the quality of the work.

SECTION SEVEN: PROPOSAL REQUIREMENTS

7.1 Introduction

One of the objectives of this RFP is to make proposal preparation easy and efficient, while giving Offerors ample opportunity to highlight their qualifications. The evaluation process must also be manageable and effective. When an Offeror submits a proposal, it shall be considered a complete plan for providing the non-emergency response support services described in this request. Proposals should be straightforward and concise, describing the Offeror's capabilities as completely as possible according to the format given in Section 7.3. Offerors are cautioned that reviewers may reject confusing and unclear offers of any item(s) to avoid errors in interpretation during the evaluation

process. Part or all of this RFP and the successful proposals may be incorporated into the contract(s).

7.2 Original Proposal and Copies to Be Submitted

Offerors should submit their typed proposals on 8.5"x11" paper. Each page of the proposal should contain a header or footer identifying the section, page number, and Offeror's name. One (1) original and five (5) hard copies of the proposal shall be submitted in the format specified below, along with an electronic copy on a compact disk. Offerors should submit only one set of sample documents in response to Section 6.3 Sample Reports of Offeror's Previous Work.

The original proposal shall be clearly marked "ORIGINAL" and copies shall be clearly marked "COPY" on the upper right hand corners of the cover pages. It is imperative that Offerors submit only one original and the required number of copies. Please do not submit more than one original. Also, please note that faxed material will not be accepted. The State will not reimburse Offerors for any costs associated with developing, submitting, presenting, or negotiating proposals in response to this RFP. The original and copies shall be submitted in a sealed envelope(s) or box to the official contact persons listed in Section 1.5.

7.3 Proposal Format and Content

Proposals must be bound and organized into sections with tabs separating each section described below. Three-ringed binders are acceptable. One copy of the five sample project reports should be submitted separately.

1. Offerors' form letter (example provided as an attachment to this RFP).
2. Special forms
 - Tax clearance form
 - Certificate of compliance from Department of Labor and Industrial Relations
 - Certificate of Good Standing from Department of Commerce and Consumer Affairs
 - Proof of liability insurance
3. Qualifications of firm and staff available to this contract.
4. Responses to questions regarding items important to HEER (Section 6.2).
5. Rate schedule and price list.

The HEER Office will evaluate offers using the criteria provided in Section Eight of this RFP. Offerors are advised to review the evaluation criteria and to provide all information necessary to allow the HEER Office to evaluate their proposal based on these criteria.

7.3.1. Offerors Form Letter

Offerors are requested to submit their offer using the Offer Form Letter attached to this RFP. Offerors are to provide their exact legal name as registered with the Department of Commerce and Consumer Affairs. Failure to do so may delay proper execution of the contract. The Offeror's authorized signature on the "original" proposal shall be an original signature in ink. The person signing the Offer Form must have the authority to make such offers on behalf of the Offeror. If the Offer Form is unsigned or the signature is a facsimile or a photocopy, the offer may be rejected.

7.3.2. Special Forms Required

NOTE: Users of Hawai'i Compliance Express (HCE) may submit their HCE certificate of status indicating compliance with the requirement for: DOTAX Tax Clearance; DLIR Certificate of Compliance; and the DCCA Certificate of Good Standing.

7.3.2.1 Tax Clearance (Offerors and Subcontractors)

Offerors shall submit an original or certified copy of a tax clearance certificate issued by the Hawai'i State Department of Taxation (DOTAX). This form and instructions are available from the DOTAX website at: <http://www.state.hi.us/tax/alphalist.html>. Each subcontractor, if any, is also required to submit an original or certified copy of a tax clearance certificate.

7.3.2.2 Department of Labor and Industrial Relations Certificate of Compliance

Offerors shall submit an approved form LIR#27 from the Department of Labor and Industrial Relations certifying that the Offeror is in compliance with State labor laws. This form may be obtained from the Department of Labor and Industrial Relations website at: <http://www.dlir.state.hi.us/>.

7.3.2.3 Certificate of Good Standing from Department of Commerce and Consumer Affairs

Offerors shall submit an approved Certificate of Good Standing. This certificate may be requested and purchased from the Department of Commerce and Consumer Affairs website at: <http://www.businessregistrations.com/>

7.3.2.3 Proof of Liability Insurance

Offerors shall submit proof that they carry a minimum of \$1,000,000 liability insurance. This proof of insurance may be a letter or form from the Offeror's insurance carrier.

7.3.3 Qualifications of Staff and Subcontractors Assigned to This Contract

As a minimum, the description of qualifications for the Offeror's firm and staff should include the information listed below. If the firm has multiple offices, information should be provided for the firm as a whole, with a separate description of the firm's Honolulu office and the personnel who would be available to provide the support described in Section Five.

- The firm's principal place of business and location of all its offices.
- Age of firm and its average number of employees over the past three years. The education, training, and qualifications of key employees (i.e. resumes, with special emphasis on personnel to be assigned to HEER project work).
- The resume of the Offeror's proposed Program Manager who will be the primary point of contact for the HEER Office regarding the contract. Each Offeror must identify a Program Manager; failing to do so may be grounds for rejecting a proposal. The designated Program Manager must be based full-time on the island of Oahu.

Note: Any change of Program Manager or Program Manager status without the express written consent of the HEER Office will be grounds for limitation and/or termination of the contract agreement at the discretion of the HEER Office. Offerors should also include the percentage of time they expect the designated Program Manager to be billable to specific projects versus covered by the firm's general and administrative or overhead expense accounts.

- Experience in work related to the Scope of Services described in Section Five, with special attention given to:
 - Application of innovative technology to environmental investigation and cleanup in Hawaii.
 - Development of technical guidance or policy directly applicable to Hawaii environmental investigation and cleanup.
 - Community involvement activities.
 - Research into the above areas.
- The names and phone numbers of 3-5 clients who may be contacted as references, including at least two from the preceding year.
- The contact information of individuals at up to three regulatory agencies other than the DOH who may be contacted as references, including at least one from the preceding year.
- Promotional or descriptive literature the firm desires to submit.

- Each assistant or subcontractor must submit a price list and a statement, signed by an individual authorized to legally bind the subcontractor, and stating:
 - Name, address, telephone and fax numbers, and contact person.
 - The general scope of work to be performed by the subcontractor.
 - The subcontractor's willingness to perform the work indicated.
 - Information regarding the qualifications of the subcontractor.
 - **Note:** *If a subcontractor is a disadvantaged-owned, minority-owned, or woman-owned business enterprise, a statement to that effect should be included. Please refer to Section Three regarding the selection of subcontractors. Please note: If you have not followed the USEPA rule and policy guidelines for encouraging a disadvantaged-owned, minority-owned, or woman-owned business enterprise participation, or their equivalent, in selecting subcontractors you may be required to re-solicit them using the USEPA rule and policy guidelines if you are awarded a contract under this RFP.*

7.3.4 Responses to Questions Regarding Items Important to the HEER Office

Offerors should respond concisely and thoughtfully to the questions posed in Section 6.2. Responses to each question should not exceed one page of double spaced text or one-half page of single spaced text.

7.3.5 Five Sample Project Reports (One Copy Each)

Offerors should provide a report that can serve as a representative sample of their work in each of the five important areas of non-emergency support listed in Section 6.1.

These should be reports of actual work that Offerors or their subcontractors have conducted within the last three years. Offerors should obtain permission from clients to submit their reports, delete confidential material, or indicate that DOH is to treat the report(s) as confidential business material.

7.3.6 Rate Schedule and Price List

Offerors should furnish their proposed rates and price list for labor, equipment, and other items anticipated to be used for activities identified in this RFP, including any costs for subcontractors. If your firm is awarded a contract, your proposed schedule rates may be used in the award fee rates.

The rate schedule should clearly identify the rates for: 1) each labor category identified by the Offeror, 2) general and administrative expenses (G&A), 3) overhead, and 4) profit. Offerors should state if and how these rates differ when applied to subcontractors. Offerors should also describe what expenses are included in G&A and overhead accounts. For example, does G&A or overhead include: computer usage, timekeeping, invoice preparation, staff supervision, contract management meetings with DOH, etc.?

SECTION EIGHT: EVALUATION PROCESS AND CRITERIA FOR SELECTION OF CONTRACTORS

8.1 Process for Contractor Selection

An Evaluation Committee will be assembled to evaluate proposals in accordance with the criteria described in Section 8.3.2. Each proposal will be reviewed and assigned a numerical score by each member of the Evaluation Committee. The scores of all evaluators will be averaged and the average scores will be used to provide a rank ordering of the proposals. The Evaluation Committee shall identify a Priority Offerors List comprised of the 3-5 Offerors receiving the highest scores. The HEER Office intends to use this Priority Offerors List to select two contractors. One will be designated the “*Primary Contractor*” and the other will be designated the “*Secondary Contractor*.” A more detailed description of the selection process, the need for two contractors, and their relationship follows.

Public Notice. The DOH HEER Office has published a Public Notice of the Request for Competitive Sealed Proposals (RFP) on the website of the State Procurement Office under Procurement Notices:

<http://www4.hawaii.gov/bidapps/ShowBids.cfm?&ShowAll=Yes>

The notice has also been posted on the HEER Office website:

<http://www.hawaii.gov/health/environmental/hazard/index.html>.

Any revisions to the RFP will be made to the posting on the HEER Office website and mailed to those requesting copies.

Offerors Conference. After the RFP is made available through public notice and before the date by which proposals must be submitted, the HEER Office will convene an Offerors Conference to answer questions about the nature and scope of the support services required, the proposal requirements, and the terms of the contract. Offerors are strongly encouraged to attend this conference. The scheduled date and location is presented in Section 1.3.

The Evaluation & Selection Committees. The Evaluation Committee shall consist of approximately three employees from the HEER Office, or from other governmental bodies with sufficient education, training, and experience to properly evaluate Offerors' proposals. The Evaluation Committee will evaluate the proposals using the criteria presented in Section 8.3. The Evaluation Committee may conduct confidential discussions with a qualified representative(s) of a firm to clarify the services they are able to provide. The Selection Committee shall consist of the HEER Office Manager and 1-3 other individuals. The HEER Office Manager shall be the Selecting Official.

Priority List Offerors. The Evaluation Committee shall review each proposal according to the evaluation criteria in Section 8.3 and assign a numerical score to each proposal. The highest ranked 3-5 Offerors will constitute the Priority List Offerors. The Priority List

will then be given to the Selection Committee. The Selection Committee will further evaluate the Priority List Offerors. From the Priority List Offerors, the HEER Office Manager intends to select two (2) contractors with which to enter into non-emergency environmental response support contracts. These two final contractors will be referred to as the Final Non-Emergency Environmental Response Contractors.

Discussions With Priority List Offerors. At their discretion, the Office Manager and members of the Selection Committee will discuss the non-emergency environmental services proposals and contract rates with Offerors on the Priority Offerors List. On the basis of these discussions, the HEER Office may request that Offerors submit their Best and Final Offers. Priority List Offerors will receive fair and equal treatment with respect to any opportunity for discussions and revisions to their proposals. However, discussions are not required and Offerors may or may not be selected solely on the basis of the proposals they submit.

Selection of Primary and Secondary Contractors. The HEER Office Manager intends to select two contractors to be the Final Non-Emergency Support Contractors. One contractor will be designated the *Primary Contractor* and the other contractor will be designated the *Secondary Contractor*. These selections will be based on the proposals submitted, discussions with Priority List Offerors, if held, Best and Final Offers submitted by the Offerors, and information received from Offeror references.

Note Regarding DOH Final Approval. Any agreement arising out of the selection process and subsequent negotiations is subject to the approval of the Attorney General as to form, and to all further approvals required by statute, regulation, rule, order, or other directive. Project funds will be available to the Final Non-Emergency Environmental Response Contractors only after contracts between each of the contractors and the Department of Health have been fully executed, and an official Notice to Proceed has been issued.

Primary and Secondary Contractor Relationship. The *Primary* and *Secondary* contractors will have a hierarchical relationship as it relates to performing non-emergency support services for the HEER Office. The purpose for engaging a primary and a secondary contractor is to assure that necessary support services are available in the event that the *Primary Contractor* has either a conflict of interest with a particular project or lacks sufficient resources to undertake a particular project. If either of these conditions applies, the *Primary Contractor* will be required to notify the HEER Office in writing that it cannot accept a particular assignment and to specify the reasons for declining the assignment.

Should the HEER Office Manager doubt the *Primary Contractor's* capacity to perform certain work, he or she may request that the *Primary Contractor* demonstrate it has sufficient resources in its Honolulu office to complete the work within a specified time frame. If the *Primary Contractor* is unable to demonstrate its capacity to do the work to the satisfaction of the HEER Office Manager, he or she may document the finding and direct that the *Secondary Contractor* perform the work. Insufficient resources in the *Primary Contractor's* Honolulu office would be sufficient justification for this finding.

8.2 Authorizing Contractors to Perform Work.

When the HEER Office identifies a need for non-emergency support services, the work will be authorized according to the following process, which may be revised:

- 1) A HEER Office project manager will prepare a Work Request describing the work needed and send it to the *Primary Contractor*.
- 2) The *Primary Contractor* will respond to the Work Request by preparing a Project Proposal within ten (10) working days that provides: 1) a description of the scope of work, 2) a detailed description of the tasks to be performed, 3) the deliverables associated with each task, 4) the proposed schedule for completion, and 5) a detailed estimate of the costs.
- 3) The HEER Office project manager will either accept the Project Proposal as written or provide comments and negotiate changes with the Contractor.
- 4) Once the *Primary Contractor* completes an acceptable Project Proposal, the project manager will prepare an official Work Assignment and Purchase Order for the HEER Office Manager's approval.
- 5) Once approved by the HEER Office Manager, the project manager will provide the Contractor with a copy of the signed Work Assignment and purchase order. The Contractor should not incur any costs associated with the Work Assignment until the HEER Office Manager has approved the project.
- 6) Upon receiving the approved Work Assignment and Purchase Order, the contractor shall initiate the work in accordance with the approved Work Assignment.

8.3 Evaluation Criteria

8.3.1. Minimum Requirements for Offeror Proposals

Proposal requirements are described earlier in this RFP. At the discretion of the HEER Office, the following conditions may be justification for rejecting a proposal:

- Submitting incomplete documents or failure to submit an original signature.
- Failure to respond completely to the List of Questions in Section 6.2.
- Failure to provide sample reports as described in Section 6.3.
- Failure to provide the special forms indicated in Section 7.3.
- Failure to provide a price/rate list for material, labor, and equipment.
- Unfavorable references. (Note: The HEER Office reserves the right to seek additional references in addition to those submitted in the proposal.)

8.3.2 Proposal Evaluation Criteria

The proposals will be evaluated in accordance with the degree to which each Offeror fulfills the following four criteria and the total possible points for each:

Overall Qualifications & Experience	15%
Ability to Develop Policy & Guidance	20%
Specific Technical Support Capabilities	35%
Cost Structure, Cost Control & Contract Administration	25%
Other	5%

NOTE: "Other" considerations include: a) efforts to encourage and utilize Disadvantaged-Owned, Minority-Owned, and Women-Owned Business Enterprises; and b) overall quality and presentation of proposal.

EXHIBIT A – OFFEROR’S FORM LETTER

Mr. Steven Mow
State of Hawai'i Department of Health
Office of Hazard Evaluation and Emergency Response
919 Ala Moana Blvd., Room 206
Honolulu, Hawai'i 96814-4920

RE: Hazard Evaluation and Emergency Response Office Competitive
Sealed Proposals for Non-emergency Environmental Services

Dear Mr. Mow:

We have carefully read and understand the terms, conditions, and requirements specified in the Request for Competitive Sealed Proposals (RFP) for Non-Emergency Environmental Services and other general and special conditions that may have been incorporated by reference into this RFP. We hereby submit the following offer to perform the work specified in the RFP. We further understand and agree to the following:

1. By submitting this offer, the undersigned is declaring that this offer complies with Chapter 84, Hawaii Revised Statutes, concerning prohibited State contracts.
2. By submitting this offer, the undersigned is declaring that the prices submitted were independently arrived at without collusion.
3. The Director of Health reserves the right to cancel this request for proposals at any time and all proposals may be rejected in whole or part when it is determined to be in the best interest of the State.
4. Discussions may be conducted with Offerors who have submitted proposals and have a reasonable possibility of being selected for award. However, a selection may be made with no such discussions.
5. Awards, if any, will be made to the parties who have submitted the most advantageous offer in accordance with the evaluation criteria set forth in this Request for Proposals.
6. If awarded the contract, the undersigned will comply with all requirements for wages, hours, and working conditions in accordance with Section 103-55, Hawai'i Revised Statutes.
7. The Department of Health (Department) may, at its discretion, award separate contracts to perform certain projects to support its non-emergency response program that are: not clearly within the scope of this general support contract; for which the undersigned cannot demonstrate to the satisfaction of the Department that it has the

in-house expertise and resources needed to complete the project; or are of the size and complexity the Department believes would benefit from a separate solicitation. An example of such a project is the comprehensive revision of the HEER Office Technical Guidance Manual (TGM) that was done under a separated contract. The undersigned understands that such projects may be excluded from the scope of this Request for Competitive Sealed Proposals (RFP) for Non-Emergency Environmental Services.

8. From this RFP, the Department plans to select a Primary and a Secondary Contractor. Work will be assigned to the Secondary Contractor only when the Primary Contractor has a conflict of interest or lacks the capacity to perform work in the timeframe required. Inadequate resources in the Primary Contractor's Honolulu office would be sufficient justification to utilize the Secondary Contractor.

9. Pursuant to U.S. EPA grant guidelines, the Hazard Evaluation and Emergency Response Office encourages proposals from disadvantaged, small, minority, and women-owned business enterprises. Offerors identifying subcontractors in their proposals may be required to re-solicit for subcontractors using a process equivalent to the U.S. EPA guidelines described in the RFP.

The undersigned hereby certifies that the proposal attached has been carefully checked and is submitted as correct.

Respectfully submitted,

Exact Legal Name of Offeror (Company Name)

Authorized Signature (Original)

Date

State of Hawai'i General Excise Tax (GET) Identification Number

Federal Taxpayer Identification Number

Type of Organization:

_____ Individual _____ Partnership _____ Corporation _____ Joint Venture

_____ Minority Owned _____ Woman Owned _____ Small Business

If offerer is a “dba” or a division of a corporation, furnish the exact legal name of the corporation under which the contract, if awarded will be executed:

State of Incorporation: Hawai'i _____ Other: _____

Point of Contact for Matters Regarding this Proposal:

Name

Phone Number

E-mail Address

Fax Number